



**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:05-CR-137

SEAN ALLEN STUDNICKA

§

§

§

MEMORANDUM ORDER
ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S COMPETENCY TO STAND TRIAL

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration of pretrial matters. Judge Giblin previously ordered that Defendant, Sean Allen Studnicka, undergo a mental examination to determine his competency to stand trial pursuant to 18 U.S.C. § 4241. After conducting a hearing to address the examiner's findings, Judge Giblin filed his *Report and Recommendation on Defendant's Competency to Stand Trial* [Clerk's doc. #27]. Judge Giblin concluded that Mr. Studnicka is competent to stand trial under 18 U.S.C. § 4241.

The parties notified the Court that they agree with the magistrate judge's findings and recommendation and that they will not be filing objections. The Court, therefore, concludes that the *Report and Recommendation on Defendant's Competency to Stand Trial* should be accepted.

The Court **ORDERS** that the *Report and Recommendation on Defendant's Competency to Stand Trial* [Clerk's doc. #27] of the United States Magistrate Judge is **ADOPTED**. The Court further **ORDERS** and **FINDS**, in accordance with the magistrate's recommendation and the examiner's report, that Defendant, Sean Allen Studnicka, is competent to stand trial pursuant to Title 18, United States Code, Section 4241.

So **ORDERED** and **SIGNED** this 24 day of **May, 2006**.



Ron Clark, United States District Judge